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MISSION SAN JOSE AIRPORT, LLC,  
AND MISSION YOGURT, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

AREAS USA SJC, LLC, a California limited  
liability company,

Plaintiff,

vs.

MISSION SAN JOSE AIRPORT, LLC, a  
Colorado limited liability corporation; and  
MISSION YOGURT, INC., a Colorado  
corporation,

Defendants.

and related Counterclaim.

**CASE NO. C11-04487 HRL**

**JOINT STIPULATION REQUESTING  
PARTIAL RELIEF FROM THE CASE  
MANAGEMENT SCHEDULING ORDER,  
AND EXTENDING PARTIES' DEADLINE  
TO COMPLETE SETTLEMENT  
CONFERENCE**

Magistrate Judge: Hon. Howard Lloyd

Complaint filed: September 9, 2011  
Trial Date: January 7, 2013

**JOINT STIPULATION FOR RELIEF FROM CASE MANAGEMENT SCHEDULING  
ORDER, AND FOR EXTENSION OF DEADLINE FOR SETTLEMENT CONFERENCE**

**STIPULATION**

The parties to this action, Plaintiff Areas USA SJC, LLC (“Areas”) and Defendants/Counterclaimants Mission San Jose Airport, LLC and Mission Yogurt, Inc. (collectively “Mission”), by and through their counsel of record, hereby stipulate and agree as follows:

WHEREAS the Court’s November 29, 2011, Case Management Scheduling Order instructed the parties to arrange a Settlement Conference before Magistrate Judge Grewal in advance of the parties’ December 18, 2012, Pretrial Conference in the event that the case had not yet settled;

WHEREAS the parties have continued to discuss the possibility of settlement throughout this litigation, and *today* are in fact meeting in person for at least the third attempt at reaching a resolution before trial;

WHEREAS the parties have not obtained a date with Magistrate Judge Grewal prior to the December 18, 2012, Pretrial Conference, and Magistrate Judge Grewal has no available dates prior to December 18;

WHEREAS the first date that the parties are able to arrange for a Settlement Conference with Magistrate Judge Grewal is January 2, 2013, and the parties have in fact secured that date with Magistrate Judge Grewal’s chambers;

THEREFORE, the parties hereby stipulate to this request for partial relief from the Court’s Case Management Scheduling Order, and for an extension of the Court’s deadline for a mandatory Settlement Conference to January 2, 2013.

The parties jointly apologize to the Court for their oversight.

**IT IS SO STIPULATED.**

Dated: December 6, 2012

GREENBERG TRAURIG, LLP

By: /s/ Scott D. Bertzyk  
 Scott D. Bertzyk  
 Attorneys for Plaintiff and Counter-Defendant,  
 AREAS USA SJC, LLC

1  
2 Dated: December 6, 2012

BRYAN CAVE, LLP

3 By: /s/ Daniel T. Rockey  
4 Daniel T. Rockey  
5 Attorneys for Defendants and Counter-Claimants  
6 MISSION SAN JOSE AIRPORT, LLC and  
7 MISSION YOGURT, INC.

8  
9 **ATTESTATION CLAUSE**

10 I, Denise M. Mayo, am the ECF User whose ID and password are being used to file this  
11 JOINT STIPULATION REQUESTING PARTIAL RELIEF FROM THE CASE MANAGEMENT  
12 SCHEDULING ORDER, AND EXTENDING PARTIES' DEADLINE TO COMPLETE  
13 SETTLEMENT CONFERENCE. In compliance with General Order 45, X.B., I hereby attest that  
14 Daniel T. Rockey has concurred in this filing.

15  
16 Date: December 6, 2012

GREENBERG TRAURIG LLP

17 By: /s/ Denise M. Mayo  
18 Denise M. Mayo  
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**ORDER**

Based upon the foregoing, and good cause appearing therefor, **IT IS HEREBY ORDERED** as follows:

The last day for Plaintiff Areas USA SJC, LLC and Defendants/Counterclaimants Mission San Jose Airport, LLC and Mission Yogurt, Inc. to participate in a Settlement Conference, with Magistrate Judge Grewal presiding, shall be extended to January 2, 2013.

DATED: December 7, 2012



Magistrate Judge Howard R. Lloyd